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APPLICATION NO. FILING DATE FIRST NAMED INVENTOR ATTORNEY DOCKET NO. 09/202,216 04/08/99 **ATARASHI** T 052648 **EXAMINER** HM12/0403 SUGHRUE MION ZINN MACPEAK & SEAS BENSTON JR, W 2100 PENNSYLVANIA AVENUE NW **ART UNIT** PAPER NUMBER WASHINGTON DC 20037 1615 DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trad marks

04/03/00



Application No.

Office Action Summary	(7/202216)	17/11/11/11/11/	
omoo nomon cammary	Examiner	Group Art Unit	
	JENS/ON	1/6/5	
—The MAILING DATE of this communication appears	on the cover sheet benea	nth the correspondence	address
Period for Reply	2		
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO OF THIS COMMUNICATION.	EXPIREN	IONTH(S) FROM THE M	AILING DATE
 Extensions of time may be available under the provisions of 37 CFR 1.1 from the mailing date of this communication. If the period for reply specified above is less than thirty (30) days, a repleted in NO period for reply is specified above, such period shall, by default, experience to reply within the set or extended period for reply will, by statute 	y within the statutory minimum of prire SIX (6) MONTHS from the	f thirty (30) days will be considerable from the factorial from the community of this community of the factorial from the facto	dered timely.
Status	- 00	· ·	
Responsive to communication(s) filed on	5-99		
☐ This action is FINAL .		, y	•
☐ Since this application is in condition for allowance except for	or formal matters. prosecut	ion as to the merits is o	losed in
accordance with the practice under Ex parte Quayle, 1935		*	
Disposition of Claims			**
1-7			
	*	is/are pending in the a	
Of the above claim(s)		is/are withdrawn from	consideration.
□ Claim(s)		is/are allowed.	
Claim(s) (-/Z	· · · · · · · · · · · · · · · · · · ·	_ is/are/ejected.	
□ Claim(s)		is/are objected to.	
□ Claim(s)		are subject to restriction	on or election
Application Papers		requirement.	- x
	Davidson BTO 040		
☐ See the attached Notice of Draftsperson's Patent Drawing			
☐ The proposed drawing correction, filed on		sapproved.	Y
☐ The drawing(s) filed on is/are objecte	d to by the Examiner.	•	* 00 .
☐ The specification is objected to by the Examiner.	· · · · · · · · · · · · · · · · · · ·		:
☐ The oath or declaration is objected to by the Examiner.			
Priority under 35 U.S.C. § 119 (a)-(d)		*	f 2.
 □ Acknowledgment is made of a claim for foreign priority und □ All □ Some* □ None of the CERTIFIED copies of th 		een	
received.			5.
 received in Application No. (Series Code/Serial Number) received in this national stage application from the International 			
*Certified copies not received:	*		
Attachment(s)			· · ·
☐ Information Disclosure Statement(s), PTO-1449, Paper No(e) Inton	iew Summary, PTO-413	
Notice of Reference(s) Cited, PTO-892		e of Informal Patent Appli	cation PTO-152
			cadon, F10-132
☐ Notice of Draftsperson's Patent Drawing Review, PTO-948	□ Other	*	
Office A	Action Summary	*	

U. S. Patent and Trademark Office PTO-326 (Rev. 9-97)

*U.S. GPO: 1997-433-221/62717

Part of Paper No.

Art Unit: 1615

15.) Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Page 4 and 45-52 of the specification are totally blank, it is not known if same information is missing.

- 16.) The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 17.) Claims 1-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tokubo et al.

Claims read on a pigment powder of a stable color tone of a multi-layered coating composition.

Tokubo et al., teaches a multilayered (col. 3, L. 51-60, col. 7, L. 45-61, coated powder (col. 3, L. 43-50), which further comprises a base particle (col. 4, L. 59-68), an inorganic metal compound/and/or another coating layer (organic) (col. 3, L. 3-6, 58-60; col. 6, L. 55-56, a metal oxide (col. 6, L. 42-57) and said base particle is spherical (col. 13, L. 68; col. 14, L. 1).

It would have been obvious to one of ordinary skill in the art at the time of the invention to use the teachings of Tokubo et al., who teaches spherical clay mineral powder/granules and process for the production.'

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The intended purpose is to provide a multilayered-coated powder.

No claim is allowed.

18.) Any inquiry concerning this communication or earlier communications from the examiner should be directed to William E. Benston whose telephone number is (703) 308-4429. The examiner can normally be reached on Mon.-Fri., from 9:30 a.m. to 6:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thurman K. Page, can be reached on (703) 308-2927. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-5408.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1235.

W. Benston:jmr

March 24, 2000

THURMAN K. PAGE
SUPERVISORY RATENT EXAMINER
TECHNOLOGY CEMTER 1600